

AMENDED IN SENATE APRIL 20, 2005

SENATE BILL

No. 168

Introduced by Senator Chesbro

February 8, 2005

An act to ~~amend Section 41204.1~~ *repeal Article 8 (commencing with Section 51790) of Chapter 5 of Part 28 of the Education Code, relating to public education funding instruction.*

LEGISLATIVE COUNSEL'S DIGEST

SB 168, as amended, Chesbro. ~~Property tax revenue shifts; local fiscal relief. Public education.~~

Existing law permits school districts, to offer instruction in aviation education, including actual flight experience. Existing law imposes various duties on the State Department of Education and the Division of Aeronautics in the Department of Transportation in connection with aiding and assisting school districts in the development and conduct of this program.

This bill would delete that authority and those duties.

~~Existing law requires the Director of Finance to make certain adjustments in one of the formulas used in computing the state's obligation under the California Constitution to provide funding for school districts and community college districts so as to ensure that the modifications in property tax revenue allocation requirements that were made by a prior enactment do not have a net fiscal impact on school districts or community college districts, or upon the state's funding obligation to those districts.~~

~~This bill would make a clarifying change to define school districts, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 41204.1 of the Education Code is~~
2 ~~amended to read:~~

3 ~~SECTION 1. Article 8 (commencing with Section 51790) of~~
4 ~~Chapter 5 of Part 28 of the Education Code is repealed.~~

5 ~~41204.1. (a) (1) Pursuant to paragraph (2) of subdivision (b)~~
6 ~~of Section 41204, the Director of Finance shall annually adjust~~
7 ~~“the percentage of General Fund revenues appropriated for~~
8 ~~school districts and community college districts, respectively, in~~
9 ~~the 1986–87 fiscal year” for purposes of applying paragraph (1)~~
10 ~~of subdivision (b) of Section 8 of Article XVI of the California~~
11 ~~Constitution, to reflect those property tax revenue allocation~~
12 ~~modifications required by the qualifying provisions in a manner~~
13 ~~that ensures that those modifications will have no net fiscal~~
14 ~~impact upon the amounts that are otherwise required to be~~
15 ~~applied by the state for the support of school districts and~~
16 ~~community college districts pursuant to Section 8 of Article XVI~~
17 ~~of the California Constitution.~~

18 ~~(2) For purposes of this section, “qualifying provisions,”~~
19 ~~means the amendments made to Chapter 6 (commencing with~~
20 ~~Section 95) of Part 0.5 of Division 1 of the Revenue and~~
21 ~~Taxation Code and Article 7 (commencing with Section 33680)~~
22 ~~of Chapter 6 of Part 1 of Division 24 of the Health and Safety~~
23 ~~Code during the 1991–92 Regular Session to the 2003–04~~
24 ~~Regular Session, inclusive, and during any Extraordinary Session~~
25 ~~concurrently held during those session years, inclusive.~~

26 ~~(b) Notwithstanding any other provision of law, for the~~
27 ~~2004–05 fiscal year and each fiscal year thereafter, “the~~
28 ~~percentage of General Fund revenues appropriated for school~~
29 ~~districts and community colleges districts, respectively, in fiscal~~
30 ~~year 1986–87,” for purposes of paragraph (1) of subdivision (b)~~
31 ~~of Section 8 of Article XVI of the California Constitution, shall~~
32 ~~be deemed to be the percentage of General Fund revenues that~~
33 ~~would have been appropriated for those entities if the qualifying~~
34 ~~provisions had been operative for the 1986–87 fiscal year.~~

35 ~~(c) It is the intent of the Legislature in enacting the act adding~~
36 ~~this section to ensure both of the following:~~

37 ~~(1) That the changes required by the qualifying provisions in~~
38 ~~the allocations of ad valorem property tax revenues do not have a~~

1 ~~net fiscal impact upon school districts, as defined in Section~~
2 ~~41302.5, or community college districts.~~
3 ~~(2) That the changes required by the qualifying provisions in~~
4 ~~the allocations of ad valorem property tax revenues do not have a~~
5 ~~net fiscal impact upon the amounts of revenue otherwise required~~
6 ~~to be applied by the state for the support of school districts, as~~
7 ~~defined in Section 41302.5, and community college districts~~
8 ~~pursuant to Section 8 of Article XVI of the California~~
9 ~~Constitution.~~

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